

Prob 12
(Rev. 3/88)

UNITED STATES DISTRICT COURT
For The
WESTERN DISTRICT OF PENNSYLVANIA

'06 APR -3 P3:30

U.S.A. vs. CURTIS LASHAWN DUCK

Docket No. 02-00019-002 ERIE

Petition on Supervised Release

COMES NOW Theodore W. Johnson, CHIEF PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of CURTIS LASHAWN DUCK, who was placed on supervision by the Honorable Maurice B. Cohill, Jr., sitting in the Court at Erie, Pennsylvania, on the 8th day of August 2005, who fixed the period of supervision at 29 months and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

- The defendant upon release from custody of the Bureau of Prisons is to be immediately placed at the Community Correction Center, located in Pittsburgh, Pennsylvania, for a period of 6 months.
- All conditions and special conditions as originally imposed by the Court on June 9, 2003, are reimposed.

Original conditions of supervision imposed by Judge Cohill on June 9, 2003, at sentencing:

- The defendant shall not commit another federal, state, or local crime.
- The defendant shall not illegally possess a controlled substance.
- The defendant shall not possess a firearm.
- The defendant shall participate in a program of testing and treatment for substance abuse as directed by the Probation Office, until such time as the defendant is released from the program by the probation officer. Further, the defendant shall be required to contribute to the cost of services for any such treatment in an amount determined by the probation officer, not to exceed the actual costs. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter.
- The defendant shall not possess, purchase, or use alcoholic beverages.
- The defendant shall comply with all support orders issued by the Erie County Office of Domestic Relations. In addition, the defendant shall abide by any payment schedule set by the Erie County Office of Domestic Relations.
- The defendant shall be gainfully employed. If the defendant is unemployed for more than 30 consecutive days, the defendant shall be required to perform community service hours at a weekly rate to be determined by the probation officer, not to exceed 24 hours per week.
- The defendant shall make restitution in the amount of \$1,217 to the Social Security Administration, to be paid jointly and severally with Tracy Steele and Twanda Davis.
- The defendant shall pay a special assessment of \$100.

06-09-03: Conspiracy to Defraud the United States; original sentence, Judge Cohill, Erie, Pennsylvania, 18 months' custody of the Bureau of Prisons, to be followed by 3 years' supervised release.

11-19-04: Released to supervision

05-09-05: Petition signed Chief Judge Ambrose; Releasee placed on home detention for 90 days.

08-08-05: Revocation hearing Judge Cohill; Supervised release revoked and sentenced to 7 months' custody of the Bureau of Prisons and 29 months' supervised release. Conditions previously imposed remain in effect.

03-07-06: Released to supervision; Currently supervised by U.S. Probation Officer David J. Conde.

03-27-06: Order, Judge Cohill' Supervision conditions modified to home confinement for 6 months instead of CCC placement for 6 months.

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**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AND FOR CAUSE AS
FOLLOWS:**

Your Petitioner reports that on March 23, 2006, a motion was filed on behalf of the releasee requesting that the judgement order of August 8, 2005, be modified and the releasee be placed on home confinement, instead of the previously ordered placement at the Community Corrections Center. On March 27, 2006, the Court granted the motion. However, on the same date, the probation office informed the Court of a positive urine test for cocaine that was obtained from the releasee on March 16, 2006. As a result, the Court advised that it would vacate the signed order of March 27, 2006, and reimpose the releasee's placement at the Community Corrections Center.

PRAYING THAT THE COURT WILL ORDER that motion signed on March 27, 2006, allowing the placement of the releasee onto home confinement is hereby vacated, and the original condition that the releasee be placed at the Community Corrections Center, located in Pittsburgh, Pennsylvania, for a period of 6 months is hereby reimposed.

ORDER OF COURT

Considered and ordered this _____ day of
_____, 20 _____ and ordered filed and made
a part of the records in the above case.

Maurice B. Cohill, Jr.
Senior U.S. District Judge

I declare under penalty of perjury that the
foregoing is true and correct.

Executed
on

April 3, 2006
David J. Conde
David J. Conde
U.S. Probation Officer

Gerald R. Buban
Gerald R. Buban
Supervising U.S. Probation Officer

Place: Erie, PA